[redacted]

[redacted]

Respondents.

[redacted]

[redacted]

[redacted]

QUESTION PRESENTED

Title VII of the Civil Rights Act of 1964 applies only to "employer[s]." Section 701(b) of Title VII defines the term "employer" as a person who is "engaged in an industry affecting commerce who has fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year." 42 U.S.C. § 2000e(b). The courts of appeals have adopted two methods of counting hourly paid employees to determine whether a person is an "employer" subject to Title VII. The question presented is:

Whether, for purposes of Section 701(b) of Title VII, an hourly paid employee is counted among a "person's" employees on days when the employee is not at work.

PARTIES TO THE PROCEEDINGS

Darlene Walters and the Equal Employment Opportunity Commission (EEOC) were appellants in the proceedings in the court of appeals. Metropolitan Educational Enterprises, Inc. and Leonard Bieber were appellees below.

Darlene Walters is the petitioner in *Darlene Walters v. Metropolitan Educational Enterprises, Inc.*, No. 95-259. The EEOC is the petitioner in *Equal Employment Opportunity Commission v. Metropolitan Educational Enterprises, Inc.*, No. 95-779. The Court granted the petitions for a writ of certiorari and consolidated the cases on March 18, 1996. ___ U.S. ___, 116 S. Ct. 1260, 134 L.Ed. 209 (1996).

RULE 29.6 STATEMENT

Metropolitan Educational Enterprises, Inc. has no parent companies or subsidiaries to be listed pursuant to Rule 29.6

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